

AMENDMENTS TO THE CLAIMS:

The Listing of Claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

The invention claimed is:

1. (Currently amended) A method of scheduling a quality of service level to an end user's data transmitted from a base station comprising the steps of
establishing a table of the quality of service levels designated by each end user,
receiving at the base station requests from at least two end users for data at selected rates, for each end user,
determining the average data rate received by an end user during a fixed interval of time,
dividing ~~the~~ an indicated rate by the average rate to obtain a result,
combining the result with the quality of service level designated by the user to obtain a sum, and
using the sum to select an end user to receive data.
2. (Original) The method of claim 1 further comprising the step of selecting the end user that has the highest sum as the receiver data.
3. (Original) The method of claim 1 further comprising the step of obtaining a sum for each end user each time there is a new transmission.
4. (Original) The method of claim 1 further comprising the step of maintaining the end user selected as the receiver of data for a designated period to the exclusion of other end users.

5. (Original) The method of claim 1 further comprising the step of selecting each end user to receive data in unequal increments.

6. (Original) The method of claim 1 further comprising the step of selecting each end user to receive data in equal increments.

7. (Original) The method of claim 1 comprising the step of providing at least two quality of service levels from which each end user can select.

8. (Original) The method of claim 1 wherein the step of determining the average data rate received by an end user is over a period of time that is less than 10 minutes.

9. (Original) The method of claim 1 wherein the step of determining the average data rate received by an end user is over a period of time that is greater than 9 minutes.

10. (Original) The method of claim 1 wherein the step of determining the average data rate received by an end user is over an active period which is greater than 30 seconds and less than 3½ minutes.

11. (Original) A method of scheduling a quality of service level to an end user's data transmitted from a base station comprising the steps of
establishing a quality of service level for each end user,
obtaining for each end user a result based on the amount of data previously sent to that end user during a specified interval of time, and
combining, for each end user, the result with the quality of service level for each end user to obtain a sum,
using the sum to determine the next end user to receive data.

12. (Original) The method of claim 11 wherein the result is based on the amount of data previously sent to that end user during a specific interval of time.

13. (Original) The method of claim 12 further comprising the step of including a data rate requested by the end user to obtain the result.

14. (Original) The method of claim 12 further comprising the steps of dividing the amount of data sent to an end user during a specific interval of time by that interval of time to obtain an average rate of data transmission, and including the average rate of data transmission to obtain the result.

15. (Original) The method of claim 14 further comprising the step of obtaining from the base station the data rate for transmitted data requested by an end user, and
dividing the data rate requested by the end user by average rate of data transmission to obtain a result.

16. (Original) The method of claim 15 wherein the interval of time is greater than 30 seconds.

17. (Original) The method of claim 15 wherein the interval of time is less than 10 minutes.

18. (Original) The method of claim 15 further comprising the step of conditioning the base station to send data to the end user determined to be the next end user at the requested data rate and requested quality of service level.

19. (New) A method of scheduling a quality of service level to an end user's data transmitted from a base station comprising the steps of:
establishing a quality of service level for each end user;
dividing the amount of data sent to the end user during a specific interval of time by that interval of time to obtain an average rate of data transmission;

obtaining for each end user a result based on the amount of data previously sent to that end user and the average rate of data transmission during the specified interval of time;

combining, for each end user, the result with the quality of service level for each end user to obtain a sum; and

using the sum to determine the next end user to receive data.

20. (New) The method of claim 19 further comprising the step of:

obtaining from the base station the data rate for transmitted data requested by an end user; and

dividing the data rate requested by the end user by average rate of data transmission to obtain a result.

21. (New) The method of claim 20 wherein the interval of time is greater than 30 seconds.

22. (New) The method of claim 20 wherein the interval of time is less than 10 minutes.

23. (New) The method of claim 20 further comprising the step of conditioning the base station to send data to the end user determined to be the next end user at the requested data rate and requested quality of service level.